

Response to Notice of Non-Compliant Amendment

Application No. 10/656,659

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REMARKS

Applicants have amended the claims with a complete listing of all the claims (including cancelled claims), in response to the Notice of Non-Compliant Amendment dated August 26, 2004.

Claims 13 and 14 are pending in the above-identified application. Claims 13 and 14 were rejected. With this Amendment, claim 13 was amended. Accordingly, claims 13 and 14 are at issue in the above-identified application.

35 U.S.C. § 112 Indefiniteness Rejection of Claims

Claim 13 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse this rejection. Applicants maintain that the term aryl group is a well-known term of art as shown by the definition found in the attached printout of *encyclopedia.com*. Furthermore, specific examples of what an aryl group is provided in the specification at Pages 15 and 16. Withdrawal of this rejection is respectfully requested. Additionally, claims 13 and 14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended claim 13 to particularly point out and specifically claim the subject matter and Applicants now believe, in light of this amendment, that claims 13 and 14 are in proper format. Withdrawal of this rejection is respectfully requested.

35 U.S.C. § 102 Anticipation Rejection of Claims & 35 U.S.C. § 103 Obviousness Rejection of Claims

Claim 13 was rejected under 35 U.S.C. § 102(b) as being anticipated by *Sugihara* (Analytical Sciences, 1993, 9: 593-597, PTO-1449). Claim 13 was rejected under 35 U.S.C. §

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102(b) as being anticipated by *Dietrich-Buchecker* (Tetrahedron Letters, 1986, 17(20): 2257-2260, PTO-1449). Claims 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sugihara* in view of *Daniel* (U.S. Patent No. 4,853,090). Applicants respectfully traverse these rejections.

Amended claim 13 recites an organic EL device comprising an organic layer having a luminescent region provided between an anode and a cathode, wherein the organic layer comprises a bathophenanthroline compound of formula, wherein Ar¹ and Ar² may be the same or different and independently represent an aryl group but do not form an interlocking macrocyclic compound. None of the cited references, either alone or in combination, disclose using such a *bathophenanthroline compound* as an organic layer for an *organic EL device*. While the cited references disclose chemical compounds, they do not teach or disclose using bathophenanthroline compounds in an EL device. Withdrawal of these rejections is respectfully requested.

In view of the foregoing, Applicant submits that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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